

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

VANESSA LINTON, et al.,

Plaintiffs,

Case No. 05-C-448

v.

MBTI, INC., et al.,

Defendants.

OPINION AND ORDER

Defendant United States of America removed this case from the Circuit Court of Milwaukee County to this court, then moved for a partial judgment on the pleadings. The Plaintiffs have agreed to dismiss the claims challenged by the government. Therefore, the court ORDERS that the "United States' Motion for Partial Judgment on the Pleadings for Lack of Subject Matter Jurisdiction and Failure to State a Claim on Which Relief Can Be Granted" (filed July 15, 2005) IS GRANTED. All of the claims of the Non-Borrowers and Repaid Borrowers are dismissed for lack of jurisdiction. Any claims against the United States contained in Counts One, Two, Three, Four, Five, Six and Eight are dismissed for failure to state a claim upon which relief can be granted. See Federal Rule of Civil Procedure 12(b)(6).

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 25th day of January, 2006.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge

